

News from the New Hampshire Department of Environmental Services



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FOR IMMEDIATE RELEASE

DATE: August 28, 2008

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John J. Paonessa Company, Inc. Agrees to Pay \$2,965 for Air Pollution Violations

Concord, NH - The New Hampshire Department of Environmental Services Commissioner Thomas S. Burack announced today the execution of an Administrative Fine by Consent with John J. Paonessa Company, Inc. of Lowell, MA. The settlement resolves violations of federal rules and the State's Air Pollution Control Act that occurred at 62 Haverhill Road in Windham, NH.

Under the terms of the settlement, John J. Paonessa Company, Inc. has agreed to pay administrative fines of \$2,965 to the State for failing to obtain a permit prior to the startup of rock crushing operations, failing to test equipment within 180 days of startup, and fugitive dust violations.

John J. Paonessa Company, Inc. began operating a non-metallic mineral processing plant (rock crusher), powered by a diesel generator, at the Windham site in January of 2007. In response to a dust complaint in October of 2007, a DES inspector discovered that the company had not obtained a State Permit to Operate for the rock crusher or the generator. Shortly thereafter, the company applied for an after-the-fact permit, which was issued on June 30, 2008. The company was also required to test the rock crusher for compliance with opacity standards within 180 days after startup, which it had not done. On February 12, 2008, DES inspected the site and discovered that the company was not employing the fugitive emission control system while operating the rock crusher, causing exceedances of the State's opacity standards.

DES will continue to review other issues related to the site including a recently completed Environmental Site Investigation Report, and re-issuance of an Alteration of Terrain permit. The Environmental Site Investigation Report is available for public review at the Town of Windham public library and at the DES office at 29 Hazen Drive, Concord. The report is also available online via the Department's One-Stop web site at www.des.nh.gov.

For information on the settlement with John J. Paonessa Company, Inc. and New Hampshire's air permitting program, contact Pam Monroe, DES Compliance Bureau Administrator, at 271-0882.

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